

REMARKS

Claim Rejections

Claims 1, 2, 5 and 8 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,317,885 to Fries ("Fries") in view of U.S. Patent No. 6,697,365 to Messenger ("Messenger"), and in further view of U.S. Patent No. 6,681,075 to Waki et al. ("Waki"). Applicant traverses this rejection.

The combination of Fries, Messenger and Waki does not disclose or suggest acquiring automatically and retaining said plurality of files linked by anchors within each of said plurality of files ranging from said start file to said hierarchical number of files by analyzing said start file, as recited in claim I. Fries is directed to an interactive television set-top box that facilitates an interactive relationship between transmitted programming and information pages related thereto, allowing users to submit form information related to a viewed television program (column 2 lines 7-12). Fries' invention provides a means for injecting video information, for example, a plurality of page imaltes, into a transmission medium based on a user request, where a displayed page may then have an active area which a user may select to perform a corresponding action (column 2, lines 19-29). In other words, Fries provides a user-initiated page browsing experience similar to browsing web pages on a computer. Fries does not, however, automatically acquire and retain a plurality of files linked by anchors within each of the plurality of files ranging from a start file to a hierarchical number of files by analyzing said start file, and use the retained files to create video and audio output, as set forth in claim 1. Neither Messenger nor Waki cure these deficiencies of Fries.

Messenger discloses a multicast system where data is transmitted to multiple recipients using the distributed resources of those recipients in a tree-like manner (Abstract). Messenger continually⁴ broadcast a file in a circular fashion (column 27, lines 1-2). A user wishing to download a file connects to the network and is given the file size and number of frames in advance, thereby allowing the user to obtain all required frames of the file (column 27, lines 7-13). Messenger, therefore, does not disclose or suggest at least automatically acquiring and retaining a plurality of files linked by anchors within each of the plurality of files ranging from a start file to a hierarchical number of files by analyzing said start file.

Waki, on the other hand, relies on files having directory structures to accomplish its transmission and reception of data files (column 13, lines 30-44; column 4, lines 32-40), rather than files linked by anchors within each of the plurality of files, as set forth in the claim.

Given if one of ordinary skill in the art at the time the invention was made had been motivated to combine the references, the combination would still not result in the claimed features. Therefore, claim 1 is patentable over the combination of Fries, Messenger and Waki. Claims 2, 5 and 8 contain features similar to the features recited in claim 1 and are therefore patentable for similar reasons.

Claims 3, 4, 6, 7, 9 and 10 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fries in view of Messenger and Waki, and in further view of U.S. Patent No. 6,374,404 to Brotz *et al.* ("Brotz"). Applicant traverses this rejection.

The combination of Fries, Messenger, Waki and Brotz does not disclose or suggest the claimed features. As established above, the combination of Fries, Messenger and Waki does not disclose or suggest the features of claims 1, 2, 5 and 8 which are incorporated into claims 3, 4, 6,

7. 9 and 10 by virtue of their dependency on one of the preceding claims. Brotz does not cure the above noted deficiencies.

13rotz discloses a digital TV web page caching system capable of updating stored web pages (column 11, lines 5-9). The invention of Brotz provides an intelligent device for interfacing with the user and controlling the display on information on a display screen (column 2, lines 38-41). In other words, Brotz provides a page browsing experience similar to Fries. Brotz does not, however, disclose or suggest at least automatically acquiring and retaining a plurality of tiles linked by anchors within each of the plurality of files ranging from a start file to a hierarchical number of files by analyzing said start file, as recited in the claims.

Even if one of ordinary skill in the art at the time the invention was made had been motivated to combine the references, the combination would still not result in the claimed features. For at least the above reasons, claims 3, 4, 6, 7, 9 and 10 are patentable over the combination of Fries, Mess enger, Waki and Brotz.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order. and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Response Under 37 C.F.R. § 1.116
U.S. Appin. No. 09986,192

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The USRFO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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